

Message Text

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PAGE 01 TEL AV 02319 210929Z
ACTION OES-07

INFO OCT-01 NEA-10 ISO-00 IO-13 L-03 /034 W
-----104999 211009Z /17

R 210821Z FEB 78
FM AMEMBASSY TEL AVIV
TO SECSTATE WASHDC 1362

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E.O. 11652: N/A
TAGS: TGEN, IS
SUBJECT: BIRDF; DRAFT EMPLOYMENT CONTRACT FOR EXECUTIVE DIRECTOR

REF: STATE 036206

1. FOLLOWING ARE MCLEOD COMMENTS, PRIMARILY
EDITORIAL, ON CONTRACT. REGRET DELAY BUT MCLEOD
DID NOT RECEIVE REQUEST UNTIL FEB. 16.

2. ARTICLE II: IS AMBIGUOUS ON QUESTION WHEN
NOTICE MUST BE GIVEN FOR TERMINATION WITHIN PRO-
BATIONALY PERIOD. SUGGEST FOLLOWING CLARIFYING
CHANGES:

- (1) DELETE WORDS "AT ANY TIME" BECAUSE UNNECESSARY;
- (2) ADD WORDS "WITHOUT NOTICE" AFTER PHRASE "DURING
THE FIRST YEAR";
- (3) DELETE WORDS "OR TERMINATION";
- (4) ADD WORDS "WITHOUT NOTICE" AFTER THE PHRASE
"AT ANY TIME".

3. ARTICLE IV (A): REWRITE PART OF SECOND SENTENCE
TO READ: "WILL HAVE AN OFFICE WHERE MR. BLACKMAN IS
EXPECTED TO CONDUCT FOUNDATION BUSINESS, APPROPRIATE
FACILITIES FOR ENTERTAINING GUESTS FOR FOUNDATION
PURPOSES, AND ADEQUATE SPACE"....

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4. ARTICLE IV (C): REPLACE WORD "AUTO: WITH "MOTOR".

5. ARTICLE V: CHANGE "PARTICIPATE" TO "PARTICIPATING".

6. ARTICLE VI: CHANGE PHRASE "TO BE DEPOSITED" TO
"SHALL BE DEPOSITED".

7. ARTICLE IX: CHANGE PHRASE "NOT TO EXCEED 600 LBS. OF" TO "NOT EXCEEDING 600 LBS" AND MOVE TO END OF SENTENCE.

8. ARTICLE IX: CHANGE PHRASE "WHICH SHALL NOT EXCEED" TO "NOT EXCEEDING".

9. ARTICLE IX: THOUGHT UNDERSTANDING WAS THAT TEMPORARY LIVING ALLOWANCE WAS TO BE EQUATED TO THAT OF A GS-18, FSO, I.E. \$17/PERSON/DAY. NOTE DRAFT PROVIDES REIMBURSEMENT FOR ALL "ACTUAL REASONABLE EXPENSES".

10. ARTICLE XI: REWRITE PART OF SECOND SENTENCE AS FOLLOWS: "WILL INCLUDE AN OFFICE WHICH MR. BLACKMAN WILL BE REQUIRED TO USE FOR FOUNDATION BUSINESS, APPROPRIATE FACILITIES..."

11. ARTICLE XII (A): REWRITE BEGINNING OF SENTENCE AS FOLLOWS: "IF MR. BLACKMAN IS NOT EXEMPTED BY ISRAELI LAW, THE FOUNDATION SHALL REIMBURSE HIM".

12. ARTICLE XII (A): NOTE THAT PREVIOUS VERSIONS OF CONTRACT GAVE BLACKMAN A CHOICE BETWEEN REIMBURSEMENT OF CUSTOMS DUTIES AND NON-INCOME TAXES AND THE COST OF LIVING ALLOWANCE PROVIDED IN ARTICLE VIII. LIMITED OFFICIAL USE

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BELIEVE NEW VERSION, PROVIDING FOR REIMBURSEMENT OF CUSTOMS DUTIES AND PAYMENT OF COST OF LIVING ALLOWANCE IS PREFERABLE, ASSUMING INVESTIGATION SHOWED BLACKMAN PROBABLY WILL BE EXEMPT FROM CUSTOMS DUTIES.

13. ARTICLE XIII (D): INSERT FOLLOWING PHRASE AT END OF FIRST SENTENCE "EXCLUDING CLAIMS BASED ON GROSSLY NEGLIGENT OR INTENTIONAL MISCONDUCT" TO CLARIFY THAT THE FOUNDATION WILL NOT INSURE MR. BLACKMAN AGAINST SUCH CLAIMS. LEWIS

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Disposition History: n/a
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